

981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Codes, Section 2461(c); and Title 21, United States Code, Section 853(p) based upon the plea of guilty by Duncan to the criminal offenses. Superseding Criminal Information, ECF No. 42; Plea Memorandum, ECF No. 44; Change of Plea Minutes, ECF No. 45.

On January 23, 2012, the United States District Court for the District of Nevada sentenced Duncan. Sentencing Minutes, ECF No. 58. On January 24, 2012, this Court entered the Final Order of Forfeiture (ECF No. 59). On the same date, this Court entered the Judgment in a Criminal Case on Duncan with the Final Order of Forfeiture (ECF No. 59) attached. Judgment in a Criminal Case, ECF No. 60. The following assets were forfeited and disposed of pursuant to the Final Order of Forfeiture (ECF No. 59):

- a) a Men's Breitling watch with Diamond Bezel and Sidecase (serial #B45355);
- b) a Tennis Necklace with 55 TW Carats of Round Diamonds set-in 10K White Gold;
- c) a Black Ballistic Vest;
- d) \$9,938 in United States Currency;
- e) a Cobray model Leinard PM12, .380 caliber semi-automatic pistol, serial # 120014243;
- f) an Armory model AUSA 7.62 semi-automatic pistol, serial # B1681; and
- g) any and all ammunition.

These assets were separate from, and were not applied towards, the criminal forfeiture money judgment of \$46,800 in United States Currency.

On August 22, 2014, the United States filed a Motion to Substitute and to Forfeit Property of Micah Duncan (ECF No. 72) to be used towards satisfaction of Duncan's criminal forfeiture money judgment. On September 8, 2014, the United States District Court for the District of Nevada entered the order granting the Substitution and Forfeiture Order (ECF No. 73) authorizing the substitution and forfeiture of the following property pursuant to Fed. R. Crim. P. 32.2(e) and Title 21, United States Code, Section 853(p)(1)(A)-(C) and (p)(2):

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1 \$12,668 seized by the Henderson Police Department at the time of Micah Duncan's arrest on
2 July 25, 2010.

3 On March 23, 2012, the United States Marshals Service ("USMS") seized, arrested, and took into
4 custody the \$12,668 in United States Currency. Notice of Filing Service of Process, ECF No. 74.

5 On September 16, 2014, David Z. Chesnoff, counsel for Micah Duncan, 520 S. Fourth St., Las
6 Vegas, Nevada 89101 was personally served with the United States of America's Motion to Substitute
7 and to Forfeit Property of Micah Duncan, the Substitution and Forfeiture Order, and the Notice.
8 Attempts to personally serve Micah Duncan were unsuccessful. Notice of Filing Service of Process -
9 Personal Service of Substitution and Forfeiture Order, ECF No. 75.

10 This Court finds the United States of America published the notice of forfeiture in accordance
11 with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively
12 from September 19, 2014, through October 18, 2014, notifying all potential third parties of their right
13 to petition the Court. Notice of Filing Proof of Publication, ECF No. 76.

14 This Court finds no petition was filed herein by or on behalf of any person or entity and the
15 time for filing such petitions and claims has expired.

16 This Court finds no petitions are pending with regard to the assets named herein and the time
17 for presenting such petitions has expired.

18 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right, title,
19 and interest in the property hereinafter described is condemned, forfeited, and vested in the United
20 States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); Title
21 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title
22 18, United States Code, Section 924(d)(1) and Title 28, United States Codes, Section 2461(c); and Title
23 21, United States Code, Section 853(n)(7) and (p) and shall be disposed of according to law:

24 \$12,668 in United States Currency
25 which will be applied towards the criminal forfeiture money judgment of \$46,800 in United States
26 Currency.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds,
2 including but not limited to, currency, currency equivalents, certificates of deposit, as well as any
3 income derived as a result of the United States of America's management of any property forfeited
4 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

5 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
6 certified copies to the United States Attorney's Office.

7 DATED this . 20th day of November, 2014.

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10 UNITED STATES DISTRICT JUDGE
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